

Remarks

Claims 1-13, 25-33 and 34-36 are canceled herein as being drawn to non-elected inventions. Applicants expressly reserve the right to prosecute these claims in a divisional application.

Claims 14 and 17-24 are amended herein. Support for the amendment of claims 14 and 20, and new claims 37-45, can be found throughout the specification, such as on page 7, lines 18-22; page 31, line 1 to page 33, line 5; page 26, line 15 to page 30, line 34. New claims 37-45 are also directed to specific limitations included in claims 14 and 20, and are supported throughout the specification. Claims 17-24 are amended to remove multiple dependencies, in the event that the 5/25 rule comes into effect.

Applicants believe no new matter is added. Substantive examination on the merits is respectfully requested.

Restriction Requirement

In response to the Office Action dated October 11, 2006, applicants hereby elect Group III (claims 14-24), directed to methods of inhibiting KSHV-induced cellular gene expression or KSHV-mediated effects and cellular proliferation and phenotype without traverse.

The claims were originally directed to methods that utilize antisense, siRNA, or ribozymes (claims 14-24 and 37-44). The applicants have amended the claims to include the use of small molecule inhibitors and antibodies as agents of use. These methods are fully supported by the specification.

The Office action states that a reply to the restriction requirement must include an election of species. However, no species are enumerated in the Office action. The undersigned representative called the Examiner on November 8, 2007 to inquire whether an election of species was required, or if a form paragraph was inadvertently included in the Office action.

If the Examiner intended to require an election of species, the Examiner is respectfully requested to contact the undersigned to identify the species, so that an election can be made in a telephone interview. If the reference to a species was inadvertent, substantive examination of all of the pending claims is respectfully requested.

Specification

The specification was objected to for including two claims numbered "34." Applicants thank the Examiner for renumbering the claims through claim 36. As indicated in the listing of claims, claims 34-36 are canceled herein. As indicated in the listing of claims, new claims have been added that begin sequentially with claim number 37.

Claims Fees

A fee worksheet appears in PAIR that indicates that claim fees for 43 claims were due when this application was filed. However, fees for a total of 36 claims were indicated to be paid by check when this application was filed, and the filing receipt indicates that fees for only 36 claims were received. The undersigned contacted the Office of Initial Patent Examination to determine if the claim fees have been properly paid. The undersigned was informed that all the claim fees were paid by check at the time of filing by the Applicants' prior counsel, and that the application was in good standing. Deposit account authorization was provided by prior counsel when this application was filed; additional excess claims fees should have been debited from this deposit account. However, in the unlikely event that additional claim fees are due, authorization to charge Deposit Account No. 02-4550 is provided herein.

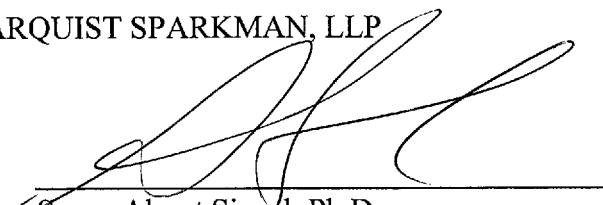
Request for Interview

If any issues remain, the Examiner is formally requested to contact the undersigned attorney prior to issuance of the next Office Action in order to arrange a telephonic interview. It is believed that a brief discussion of the merits of the present application may expedite prosecution. This request is being submitted under MPEP § 713.01, which indicates that an interview may be arranged in advance by a written request.

Respectfully submitted,

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